

FILED

OCT 10 2017

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
CAPE GIRARDEAU

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

DARNELL WESLY MOON,)
)
Plaintiff,)
)
v.) No. 1:17-cv-125-SNLJ
)
NED BOYD, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court upon the motion of Darnell Wesly Moon, a prisoner, for leave to commence this civil action without prepayment of the required filing fee. The motion will be denied, and this case will be dismissed without prejudice.

Moon, a prisoner and a frequent filer of lawsuits, is subject to 28 U.S.C. § 1915(g).¹ Therefore, he may proceed in forma pauperis in this action only if he “is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

The Court has carefully reviewed the complaint, and concludes that it contains no allegations that Moon is in imminent danger of serious physical injury. The Court will therefore deny the instant motion, and dismiss this action without prejudice to the filing of a fully paid complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis (Docket No. 2) is **DENIED**.

¹ See *Moon v. United States of America*, Case No. 1:09-cv-6-RWS (E.D. Mo. Feb. 3, 2009); *Moon v. National Asset Recovery Services, Inc.*, Case No. 4:09-cv-117-DDN (E.D. Mo. Feb. 2, 2009); and *Moon v. National Recovery Services, Inc.*, Case No. 4:09-cv-1129-DDN (E.D. Mo. Jul. 28, 2009).

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to the filing of a fully paid complaint. A separate order of dismissal will be entered herewith.

IT IS FURTHER ORDERED that plaintiff's motion for preliminary injunction (Docket No. 5) and plaintiff's amended motion for preliminary injunction (Docket No. 10) are **DENIED** as moot.

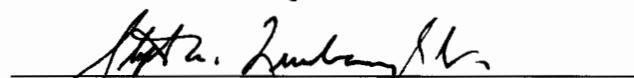
IT IS FURTHER ORDERED that plaintiff's motion to appoint counsel (Docket No. 6) is **DENIED** as moot.

IT IS FURTHER ORDERED that plaintiff's motion to expedite screening (Docket No. 12) is **DENIED** as moot.

IT IS FURTHER ORDERED that plaintiff's motion to recuse judge (Docket No. 13) is **DENIED** as moot.

IT IS FURTHER ORDERED that plaintiff's motion for copies (Docket No. 14) is **DENIED** as moot.

Dated this 10th day of October, 2017.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE